

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CXT SYSTEMS, INC.,

Plaintiff,

v.

**ACADEMY, LTD., d/b/a ACADEMY
SPORTS + OUTDOORS,**

Defendant.

**CASE NO. 2:18-CV-00171-RWS
LEAD CASE**

JURY TRIAL DEMANDED

CXT SYSTEMS, INC.,

Plaintiff,

v.

J. C. PENNEY COMPANY, INC.,

Defendant.

CASE NO. 2:18-CV-00233-RWS

JURY TRIAL DEMANDED

**NOTICE OF SUGGESTION ON PENDENCY OF BANKRUPTCY FOR J. C.
PENNEY COMPANY, INC., *ET AL.* AND AUTOMATIC STAY OF PROCEEDINGS**

PLEASE TAKE NOTICE that, on May 15, 2020, J. C. Penney Company, Inc. and certain of its subsidiaries and affiliates (collectively, the “Debtors”),¹ filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy”

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <http://cases.primeclerk.com/JCPenney>. The location of Debtor J. C. Penney Company, Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 6501 Legacy Drive, Plano, Texas 75024.

Code”) in the United States Bankruptcy Court for the Southern District of Texas (the “Bankruptcy Court”). The Debtors’ chapter 11 cases are pending before the Honorable David R. Jones, United States Bankruptcy Judge, and the Debtors have requested joint administration under the lead case *J. C. Penney Company, Inc.*, Case No. 20-20182 (DRJ) (collectively, the “Chapter 11 Cases”). A copy of the voluntary petition of the lead Debtor, J. C. Penney Company, Inc. is attached hereto as **Exhibit A**. A copy of the voluntary petition of Defendant, J. C. Penney Corporation, Inc. is attached hereto as **Exhibit B**.

PLEASE TAKE FURTHER NOTICE that, pursuant to section 362(a) of the Bankruptcy Code, the Debtors’ filing of their respective voluntary petitions gives rise to a stay, applicable to all entities, of, among other things: (a) the commencement or continuation of any judicial, administrative, or other action or proceeding against the Debtors (i) that was or could have been commenced before the commencement of the Chapter 11 Cases or (ii) to recover a claim against the Debtors that arose before the commencement of the Chapter 11 Cases; (b) the enforcement against any of the Debtors or against any property of each of the Debtors’ bankruptcy estates of a judgment obtained prior to the commencement of the Chapter 11 Cases; and (c) any act to obtain possession of property of or from any of the Debtors’ bankruptcy estates, or to exercise control over property of any of the Debtors’ bankruptcy estates.² No order has been entered in the Chapter 11 Cases granting relief from the automatic stay.

PLEASE TAKE FURTHER NOTICE that additional information regarding the status of the Debtors’ Chapter 11 Cases may be obtained by (i) reviewing, free of charge, the docket of the Debtors’ Chapter 11 Cases on the website of the Debtors’ claims and noticing

² Nothing herein shall constitute a waiver of the Debtors’ rights to assert any claims, counterclaims, defenses, rights of setoff or recoupment, or any other claims against any party to the above-captioned case. The Debtors expressly reserve all rights to contest any claims that may be asserted against the Debtors.

agent at <https://cases.primeclerk.com/JCPenney>, (ii) visiting the Bankruptcy Court's website at <http://www.tx.uscourts.gov/bankruptcy> (PACER login and password required) in accordance with the procedures and fees set forth therein, or (iii) contacting any of the following proposed counsel for the Debtors: (a) Matthew D. Cavanaugh, Jackson Walker L.L.P., 1401 McKinney Street, Suite 1900, Houston, Texas 77010; or (b) Aparna Yenamandra, Rebecca Blake Chaikin, and Allyson Smith Weinhouse, Kirkland & Ellis LLP, 601 Lexington Ave, New York, New York 10022, Telephone: (212) 446-4800.

May 18, 2020

Respectfully submitted,

J. C. Penney Corporation, Inc.

By: /s/ Diane K. Lettelleir
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 18, 2020, all counsel of record who are deemed to have consented to electronic service are being served with this Notice of Suggestion on Pendency of Bankruptcy for J.C. Penney Company, Inc., et al. and Automatic Stay of Proceedings, via the Court's CM/ECF system per Local Rule CV-5(a)(3)(A).

/s/ Diane K. Lettelleir
Diane K. Lettelleir